

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WORD CHURCH)	
INTERNATIONAL, INC.,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.:
)	1:10-CV-02133-TCB
v.)	
)	
)	
CITIZENS TRUST BANK,)	
)	
Defendant.)	
_____)	

CITIZENS TRUST BANKS' REQUEST FOR
ENTRY OF DEFAULT

Pursuant to Fed. R. Civ. P. 55(b), Citizen's Trust Bank, Defendant and Plaintiff in Counterclaim (hereinafter "CTB"), hereby requests that the Clerk of the Court enter default in this matter against Word Church International, Inc., Plaintiff and Defendant in Counterclaim, (hereinafter "WCI") showing as follows:

1.

On July 26, 2010, CTB filed its Answer to WCI's Complaint for Damages and Counterclaims ("Answer and Counterclaim") using the Court's CM/ECF system. Through the CM/ECF system, WCI's attorney of record,

Grady L. Roberts, was served with CTB's Answer and Counterclaim. True and correct copies of the Certificate of Service and the electronic mail confirmation of filing and service of the answer is attached hereto as Exhibit A.

2.

Under Fed. R. Civ. P. 12(a)(1)(B), "a party must serve an answer to a counterclaim or crossclaim within 21 days after being served with the pleading that states the counterclaim or crossclaim."

3.

Despite the fact that WCI was served with CTB's Answer and Counterclaim more than 21 days ago, WCI has failed to plead, defend, or otherwise respond to CTB's counterclaims. Further, WCI is a corporate entity represented by counsel and is, therefore, neither a minor nor an incompetent person.

4.

In its Answer and Counterclaim, CTB seeks a judgment for affirmative relief against WCI for breach of contract arising from WCI's default on its agreement to repay a commercial loan it obtained from CTB and attorney's fees and costs. CTB's claims are for a sum certain or a sum that could be

made certain by computation. See Affidavit of Frederick L. Daniels, Jr.,
attached hereto as Ex. B.

WHEREFORE, Citizens Trust Bank respectfully requests that the Clerk
of the Court enter a judgment in its favor and against WCI in the amount of
\$173,565.01 plus attorney's fees and costs in the amount of \$9,061.03.

Respectfully submitted this 15th day of September, 2010.

Molden Holley & Thompson, LLC

s/Oni A. Holley

Oni A. Holley

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Counsel for Defendant Citizens Trust Bank

CERTIFICATE OF COMPLIANCE

The undersigned counsel hereby certifies that this Request for Entry of
Default complies with the type-volume limitations set forth in Rule 5.1 of the
Local Rules of the Northern District of Georgia, and that the Request has been
typed in Times New Roman 14 point.

s/Oni A. Holley

Oni A. Holley

Georgia Bar No. 362227

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CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2010, I electronically filed this
CITIZENS TRUST BANK'S REQUEST FOR ENTRY OF DEFAULT
using the CM/ECF system, which will automatically send email notification
to the following attorney of record:

Grady Roberts
Roberts Law, LLC
191 Peachtree Street, NE
Suite 3300
Atlanta, GA 30303
Email: groberts@robertslawllc.com

s/ Oni A. Holley
Oni A. Holley
Georgia Bar No. 362227